



TRUTH, JUSTICE AND INFORMATION FOR ALL

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Legislative Highlights

Family Law

Prior to the legislative change, attorney's fees were factored into a just and right division of the estate. However, the legislature voted to amend Family Code §6.708, which now specifically allows courts to award reasonable attorney's fees and expenses in suits for dissolution of marriage. Additionally, the Court may order that such fees and expenses and any post-judgment interest be paid directly to the attorney. If such payment is ordered, the attorney may, in his or her own name, enforce the order. This change is effective September 1, 2013. An increase in the child support cap will also go into effect on September 1, 2013. The cap on monthly net resources will increase from \$7,500 to \$8,550. The legislature repealed §157.162 (d) and (e) which allowed an obligor to avoid a finding of contempt if he or she paid the arrearage prior to the contempt hearing. §157.162(b) was modified to authorize the court to award the petitioner court costs and reasonable attorney fees, even if the respondent is not held in contempt. Sections 9.001 and 9.002 of the Family Code limited the Court's power to enforce to the division of property. However, these sections will now provide that the Court may enforce property divisions as well as any contractual provisions under a decree that was previously approved by the Court. According to the changes in §153.316, conservators can now provide written notice to each other via e-mail or fax. For a complete update of all the family law changes, come to the law library to look over the 2013-2014 edition of O'Connor's Family Code Plus.

Criminal Law

S.B. No. 107 becomes effective on September 1, 2013, "relating to the disclosure by a court of criminal history record information that is the subject of

an order of nondisclosure." This Act amends §411.081 of the Government Code by amending subsections (a) and (d) and adding Subsections (f-1) and (g-3). The most notable change is found in section (f-1), which now states that the Office of Court Administration "shall prescribe a form for the filing of a petition electronically or by mail." Additionally, each county or district clerk's office that maintains a website will be required to post a link to the nondisclosure form on its website. A copy of this bill is available in the library or online at: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=83R&Bill=SB107>.

Probate

H.B. 2918 amends §752.051 of the Estates Code and changes the statutory durable power of attorney. The amended form goes into effect on January 1, 2014, and contains additional instructions, including "Important Information for Agent." Only statutory durable powers of attorney executed on or after January 1, 2014, will be affected. A copy of this bill is available in the library or online at: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=83R&Bill=HB2918>.

Amendments to Disclosure Rule

"Expedited-Actions Rules Changing Personal-Injury Practice," June 24, 2013, Texas Lawyer

As a result of the new expedited action rules (summarized in our May newsletter) some changes to discovery have been made. Rule 190.2(b)(6) now allows a party to request "disclosure of all documents, electronic information, and tangible items that the disclosing party has in its possession, custody or control and may use to support its claims or defenses." The author suggests that attorneys add this category to their standard Rule 194 Requests for Disclosure.

Copies of these articles are available in the library, or from the law librarian via email:
droberts@co.collin.tx.us

Spotlight on the Supremes

Effective July 1, 2013, the Supreme Court of the United States adopted a revised version of the Rules of the Court. A copy of the press release that contains the revisions as well as Clerk's Comments is available at the library or viewable online at:
<http://www.supremecourt.gov/ctrules/2013revisedrules.pdf>

Members of Congress recently introduced the Supreme Court Ethics Act of 2013. The Act would subject the justices to the Code of Conduct for United States Judges, a set of standards that currently applies to all other federal judges. The goal of the bill, according to New York representative Louise Slaughter, is to "ensure neutrality and transparency at the country's highest court."

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Hours of Operation:
Monday–Friday
8:00 am–5:00 pm

Did You Know?

Municode.com has over 2,700 municipal codes online, including the City of McKinney. While it's free to search, paid subscriptions allow the user to sign up for the listserv and manage notes and codes through a "My Dashboard" feature. Municode also published two volumes of their cookbook, *Codin' and Cookin'*, which can be found under the About Us section on the homepage. Volume 2 includes unusual or amusing laws that Municode has collected throughout the years.

Library Reminders

Copyright Protection—The law library is subject to copyright provisions under Title 17 of the U.S. Code. Note that the law library reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve a violation of copyright law. Under fair use, no more than 10% of a work not divided into chapters or having less than 10 chapters or no more than 1 chapter of a 10 or more chapter work may be copied. If you require more than the allowed copies, please let the library staff know so that we can assist you in finding the publisher and/or with ordering information.

Checking Out Materials—When checking out a book from the library, please fill out the attorney check-out card completely. This includes the title of the book, volume number (if applicable), name, phone number, date of check out and email address. Also, all form books are due back in the library within 24 hours. The other books are due back within 72 hours of check-out.

WestlawNext Tips

Notes of Decision

Notes of decision summarize important cases that have interpreted a statute or a regulation, providing the user with an overall picture of how that particular statute or regulation has been applied. In order to access Notes of Decision, simply enter a statute into the search bar.

The screenshot shows the WestlawNext search results page for 'Statutes (4,305)'. The left sidebar contains a 'VIEW' section with a list of document types and their counts: Cases (14), Statutes (4,305), Regulations (8,820), Administrative Decisions (10,000), Trial Court Orders (136), Appellate Court Orders (10,000), Forms (181), Briefs (10,000), Expert Materials (1,512), Jury Verdicts & Settlements (184), Proposed & Amended Pleadings (2,252), and All Results (70,342). Below this is a 'NARROW' section with filters for Jurisdiction (Federal, Texas), Effective Date, and a search bar. The main content area displays the 'Statutes (4,305)' results, sorted by Relevance. The first result is '1. Rule 21a. Methods of Service', which is highlighted. The right sidebar shows 'RELATED DOCUMENTS' including 'Secondary Sources' and 'Service of Process - Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters'.

Once the applicable statute has been selected, there are three methods to access Notes of Decision: from the Notes of Decisions tab at the top, from the Notes of Decisions menu on the right, or by scrolling through the document and finding the Notes of Decision at the bottom of the page.

The screenshot shows the WestlawNext interface with the 'Notes of Decisions' tab selected for 'Rule 21a. Methods of Service'. The main content area displays the text of the rule, which is highlighted in yellow. The right sidebar shows the 'NOTES OF DECISIONS (17)' section, which lists various cases and documents related to the rule. The bottom of the page shows the 'Citations' section, which lists the rule's history and amendments.

The library has two more WestlawNext databases: Texas State Real Property and Texas State Employment Law Analytical. Texas Real Property provides the user with forms, practice guides and checklists. Texas Employment Law Analytical includes practice guides covering the areas of employment litigation, ERISA, benefits, retirement plans, immigration and discrimination issues.

Tech Tips: More Useful Apps and Law Blogs

- iPhone J.D.—a blog dedicated to those attorneys who use iPhones and/or iPads in their business, that contains useful apps and articles on using the devices in daily practice.
- Droid Lawyer—similar to the iPhone J.D. blog, but designed for Android users.
- Texas Lawyer—Texas Lawyer is now available as an app. All news, articles and content are complimentary through September 30, 2013.
- <http://www.texasbartoday.com/texas-law-blogs/> - access 135 Texas law blogs covering a variety of topics and areas of interest.
- Our Family Wizard—a mobile version of the website, allowing co-parents to access custody and visitation schedules and expense tracking from a smartphone or tablet.



The Law Library

will be closed

on Monday,

September 2nd

for Labor Day.

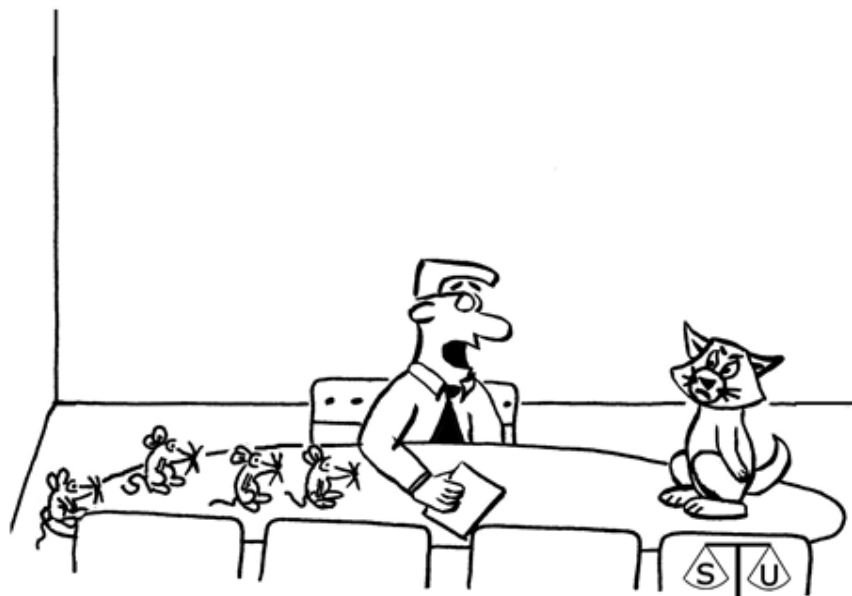
New on the Shelf:

- O'Connor's Federal Civil Forms, 2013 Edition
- O'Connor's Federal Employment Codes, 2013 Edition
- Is It Admissible? Handbook, 2013-2014 Edition
- O'Connor's Texas Civil Forms, 2013
- Navigating the Federal Trial, 2013
- O'Connor's Family Code, 2013-2014
- Auditor's Letter Handbook, 2nd Edition

A Little Legal Humor

Stu's Views

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Meeting my clients half way sounds good.
Eating half my clients does not.